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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/521,252	03/08/2000	Dar-Shyang Lee	015358-006300US	1607

7590 10/21/2004  
Townsend and Townsend and Crew LLP  
Two Embarcadero Center 8th Floor  
San Francisco, CA 94111-3834

EXAMINER
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BASHORE, WILLIAM L

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/521,252

**Applicant(s)**

LEE ET AL.

**Examiner**

William L. Bashore

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/18/04</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is responsive to communications: amendment/Response filed 6/9/2004, to the original application filed 3/8/2000. IDS filed 3/8/2000, and 6/18/2000.
2. Regarding Applicant's IDS filed 6/18/2004, the WIPO references have not been considered because copies of said references cannot be found in the record.

### *Claim Rejections - 35 USC § 101*

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. The claimed invention (as reflected in claims 1-22, 33-41) is directed to non-statutory subject matter.

In regard to independent claims 1, 10, 33, the combined limitations within each of claims 1, 10, 33 can be fairly interpreted as a series of mental and/or manual steps (i.e. a user recording activities, identifying directives, etc. mentally, or with paper and pencil), therefore said claims are directed to non-statutory subject matter.

The examiner's suggestion of amending the preamble of each said claim to read "*A computer executable method...*" will serve to overcome this rejection.

In regard to dependent claims 2-9, 11-22, 34-41, claims 2-9, 11-22, 34-41 are rejected for fully incorporating the deficiencies of their respective base claims.

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***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moran et al. (hereinafter Moran), U.S. Patent No. 5,717,879 issued February 1998 (cited on Applicant's IDS), in view of Ludwig et al. (hereinafter Ludwig), U.S. Patent No. 5,802,294 issued September 1998.**

**in regard to independent claim 1**, Moran teaches management of meeting related information (i.e. recording of meeting information) (Moran Abstract, Figures 12-14; compare with claim 1 '*A method for managing information during a meeting comprising steps of*').

Moran teaches recording/replay of records of a meeting (Moran Abstract, column 3 lines 33-39, Figures 11-14; compare with claim 1 "*recording activities among participants during said meeting to produce recording meeting data:*").

Moran teaches identifying a participant directive via accessing meeting data via button events initiated by participants during an ongoing meeting, the event indicators being color coded to identify a participant, with each button event indicative of a directive, as well as buttons and notes (i.e. a service – indicating a participant who feels something significant is being discussed) (Moran column 22 lines 1-20, Figure 13). Moran does not specifically teach identifying said directive via "*analyzing said recorded meeting data while said meeting is ongoing*" (although participants can contribute to Moran's Figure 13 during a meeting, Moran is moot regarding actually showing Figure 13 to participants for analysis during an ongoing meeting). However, Ludwig teaches a teleconferencing system comprising a video mosaic of each participant (Ludwig, Abstract, Figure 8A to 8C — also note button "Whiteboard" within Figure 8B). Ludwig's shows multiple participants in a common interface.

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During a teleconference meeting, said participants are commonly shown to all other participating callers, therefore Ludwig displays an interface of running meeting data for analysis. It is noted that Ludwig's invention can utilize whiteboard, and annotation capabilities, and sessions can be recorded (Ludwig column 3 lines 1-10). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Ludwig to Moran, providing Moran the benefit of showing ongoing meeting data (Figure 13) to participants as a meeting is ongoing, for analyzing purposes (compare with claim 1 "*identifying a participant directive by analyzing said recorded meeting data... by a participant of said meeting*").

Moran teaches button events initiated by participants during an ongoing meeting, the event indicators being color coded to identify a participant, with each button event indicative of a directive (i.e. indicating a participant who feels something significant is being discussed), resulting in addition of the event to the recording (Moran column 22 lines 12-20, Figures 11, 13). Moran also teaches Figure 13 item 1302, which is an added note associated with a speaker (see also Moran column 22 lines 8-12) (compare with claim 1 "*in response to identifying said participants... during said meeting.*").

**In regard to dependent claim 2,** Moran teaches tracks 1122-1124, which are starting points of (textual notes of participants. Since said notes are part of the recorded meeting, said text is analyzed (as explained above) in association with a button press (track 1124) (see Moran column 22 lines 8-25).

**In regard to dependent claim 3,** Moran teaches both audio and video (Moran column 21 lines 25-34, column 22 lines 20-25, Figures 11-14).

**In regard to dependent claim 4,** Moran teaches adding notes (a form of editing/manipulation) to recorded meeting data (Moran Figure 13 item 1302)

**In regard to dependent claim 5,** Moran teaches accessing recorded meeting data via button events

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initiated by participants during an ongoing meeting, the event indicators being color coded to identify a participant, with each button event indicative of a directive (i.e. indicating a participant who feels something significant is being discussed) (Moran column 22 lines 12-20).

**In regard to dependent claim 6,** Moran teaches a meeting using human participants, audio, video, textual notes, and prepared material via a projected medium (Moran column 13 lines 1-11, 18-20, Figure 13).

**In regard to dependent claim 7,** Moran teaches accessing recorded meeting data via button events initiated by participants during an ongoing meeting, the event indicators being color coded to identify each participant, with each button event indicative of a directive (i.e. indicating a participant who feels something significant is being discussed — adding a note, accordingly) (Moran column 22 lines 12-20, Figure 13).

**In regard to dependent claim 8,** Moran teaches a meeting player for recording locations of participants. said locations recorded as part of the recorded media to be analyzed for adding directives, accordingly (as explained in the rejection of instant claim 1, above) (Moran Figure 14).

**In regard to dependent claim 9,** Moran teaches a meeting player for recording locations of participants, said locations recorded as part of the recorded media to be analyzed for adding directives, accordingly (as explained in the rejection of instant claim 1, above), each participant is shown in a different geographic location relative to one another (Moran Figure 14).

**In regard to independent claim 10,** Moran teaches management of meeting related information (i.e. recording of meeting information between participants) (Moran Abstract, Figures 12-14; compare with claim 10 *“A method for managing information services during a meeting involving two or more participants, comprising steps of).*

Moran teaches recording/replay of records of a meeting utilizing a (continuous timestream) of video,

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said video can comprise a person (i.e. a participant) standing to speak, said timestream enabled for an entire meeting (Moran Abstract, column 3 lines 33-39, column 22 lines 20-24 Figure II item 1125). Moran does not specifically teach said video of a participant as continuously recorded for the duration of said meeting. However, Ludwig teaches a teleconferencing system comprising a video mosaic of a live conference call, with a video of each participant presented for the duration of said call (Ludwig, Abstract, Figure 8B, 8C — also note button “Whiteboard” within Figure 8B). It is noted that Ludwig’s invention can utilize whiteboard, and annotation capabilities, and sessions can be recorded (Ludwig column 3 lines 1-10). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Ludwig to Moran, providing Moran the benefit of a complete video record of each participant for reference purposes (compare the above to claim 10 *“producing a continuous video recording of at least one of said participants for the duration of said meeting”*).

Moran teaches producing an audio timeline for each participant for the duration of a meeting (Moran Figure 11 items 1119, 1120, 1121; compare with claim 10 *“producing a continuous audio recording of at least one of said participants for the duration of said meeting”*).

Moran teaches storing video/audio streams (Moran column 12 lines 45-50, column 31 lines 4448; compare with claim 10 *“storing said video and said audio recordings in a data store”*).

Moran teaches identifying a participant directive via accessing meeting data via button events initiated by participants during an ongoing meeting, the event indicators being color coded to identify a participant, with each button event indicative of a directive, as well as buttons and notes (i.e. a service – indicating a participant who feels something significant is being discussed) (Moran column 22 lines 1-20, Figure 13). Moran does not specifically teach identifying said directive based on video/audio data (although participants can contribute to Moran’s Figure 13 during a meeting, Moran is moot regarding actually showing Figure 13 to participants for analysis during an ongoing meeting). However, Ludwig teaches a teleconferencing system comprising a video mosaic of each participant (Ludwig, Abstract, Figure 8A to 8C — also note button “Whiteboard” within Figure 8B). Ludwig’s shows multiple participants in a common interface. During a teleconference meeting, said participants are commonly shown to all other participating callers, therefore Ludwig displays an interface of running meeting data for analysis. It would have been obvious to one of ordinary skill in the art at the time of

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the invention to apply Ludwig to Moran, providing Moran the benefit of showing ongoing meeting data (Figure 13) to participants as a meeting is ongoing, as well as the benefit of recording comments based upon live recorded video feeds from participants in other areas (compare with claim 10 “*detecting a participant directive based on either or both of said video recording and said audio recording*”, and “*providing one or more information-related services based on said participant directive*”).

Moran teaches button events initiated by participants during an ongoing meeting, the event indicator being color coded to identify a participant, with each button event indicative of a directive (i.e. indicating a participant who feels something significant is being discussed, as indicated via gestures and utterances of a participant), resulting in addition of the event to the recording. Moran also teaches Figure 13 item 1302, which is an added note associated with a speaker (see also Moran column 22 lines 8-12) (Moran column 22 lines 12-20, Figures 11, 13 compare with claim 10 “*thereby providing information... during said meeting*”).

**In regard to dependent claim 11**, Moran teaches an input (i.e. recording/capturing) device (Moran column 6 lines 35-39, column 13 lines 1-11).

**In regard to dependent claim 12**, Moran does not specifically teach detecting directives based upon text in video or audio. However, Ludwig teaches teleconferencing whereby a textual note is added to a participant’s data feed (Ludwig Figure 28 — lower left window). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Ludwig to Moran, providing Moran the benefit of participants reacting to textual data for effect.

**In regard to dependent claim 13**, Moran teaches accessing recorded meeting data via button events initiated by participants during an ongoing meeting, the event indicators being color coded to identify a participant, with each button event indicative of a directive (i.e. a service indicating a participant who feels



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something significant is being discussed — based upon the context of said meeting) (Moran column 22 lines 12-20).

**In regard to dependent claim 14**, Moran teaches accessing recorded meeting data via button events initiated by participants during an ongoing meeting, the event indicators being color coded to identify a participant, with each button event indicative of a directive (i.e. a service - indicating a participant who feels something significant is being discussed). The note is attached to the recorded meeting accordingly, and information is retrieved to be displayed on an editor, utilizing the continuous timelines, accordingly (Moran column 22 lines 12-20, Figures 11-14).

**In regard to dependent claims 15-17**, Moran teaches accessing recorded meeting data via (input) button events initiated by participants during an ongoing meeting, the event indicators being color coded to identify a participant, with each button event indicative of a directive (i.e. a service - indicating a participant who feels something significant is being discussed). The note is attached to the recorded meeting accordingly and information is retrieved to be displayed for users, accordingly (Moran column 22 lines 12-20, Figures 11-14).

**In regard to dependent claims 18-19**, Moran teaches accessing, editing, and assimilating information (Moran Figure 8, 11-14, especially Figure 13 item 1302). Moran does not specifically teach establishing a new participant, transmitting/receiving messages, and accessing various networks. However, Ludwig teaches a teleconferencing system utilizing resume, hang up, and adjourn buttons, as well as electronic mail and various networks (i.e. LAN/WAN etc.) (Ludwig Abstract, Figures 2A, 2B, SA— SC, column 15 lines 17-31). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Ludwig to Moran, providing Moran the benefit of teleconferencing a meeting.

**In regard to dependent claims 20-21**, Moran does not specifically teach permissions, as

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claimed. However, Moran teaches accessing recorded meeting data via button events initiated by participants during an ongoing meeting, the event indicators being color coded to identify each participant, with each button event indicative of a directive (i.e. a service - indicating a participant who feels something significant is being discussed (Moran column 22 lines 12-20), providing the claimed equivalent of permissions, since (implicit) permission is granted to assign a certain colored button for use by a specific participant. It would have been obvious to one of ordinary skill in the art at the time of the invention to interpret Moran in this fashion, providing Moran the benefit of increased security (and organization) to its recorded meeting.

**In regard to dependent claim 22,** Moran teaches a meeting player showing participants in distinct geographic locations (Moran Figure 14).

**In regard to independent claim 23,** claim 23 reflects the system comprising computer executable instructions used for performing the method as claimed in claim 10, and is rejected along the same rationale

**In regard to dependent claims 24, 25,** claims 24, 25 reflect the system comprising computer executable instructions used for performing the method as claimed in claim 14, and are rejected along the same rationale.

**In regard to dependent claims 26, 27, 28, 29, 30, 31, 32,** claims 26, 27, 28, 29, 30, 31, 32 reflect the system comprising computer executable instructions used for performing the method as claimed in claims I 21, 22, 18, and are rejected along the same rationale.

**In regard to independent claim 33,** claim 33 incorporates substantially similar subject matter as claimed in claims 10, 12, 14, and is rejected along the same rationale.

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**In regard to dependent claims 34, 35,36,37,** claims 34, 35, 36, 37 incorporate substantially similar subject matter as claimed in claims 10, 14, 17 and are rejected along the same rationale.

**In regard to dependent claims 38-41,** claims 38-41 incorporate substantially similar subject matter as claimed in claims 10, 20-22, and are rejected along the same rationale.

**In regard to independent claim 42,** claim 42 reflects the system comprising computer executable instructions used for performing the method as claimed in claims 10, 12, 14, 15, and in further view of the following, is rejected along the same rationale.

Moran teaches storage of audio, image, and textual related information (Moran Figures 11-14).

Moran does not specifically teach real-time video and audio. However, Ludwig teaches a teleconferencing system, said system used in real-time (Ludwig Abstract, Figures 8A - 8C). It would have been obvious to one of ordinary skill in the art at the time of the invention to apply Ludwig to Moran, providing Moran the benefit of real-time data for use in conference meetings.

**In regard to dependent claims 43-46,** claims 43-46 reflect the system comprising computer executable instructions used for performing the method as claimed in claims 20, 21, 13, 14, and are rejected along the same rationale

**In regard to dependent claims 47-49,** claims 47-49 reflect the system comprising computer executable instructions used for performing the method as claimed in claims 17, 18, 22, and are rejected along the same rationale.

*Response to Arguments*

7. Applicant's arguments filed 6/9/2004 have been fully and carefully considered but they are not persuasive.

Applicant argues that the cited art does not teach "participant directives". It is noted that Moran teaches recording of a meeting between participants. In clicking on a button, and appending a note (Moran item 1302), a participant directs the system to make note, and records the annotation accordingly. The various icons are visibly shown and indicate actions at various timeline points regarding a speaker (i.e. a note directed to a point made by Betty during the meeting).

Applicant argues that the cited art does not teach "analyzing a participant directive by analyzing said recorded meeting data while said meeting is ongoing". It is noted that Moran's invention reflects a recording of a meeting as it is ongoing (the meeting is recorded as said meeting unfolds). Although Moran's Figure 13 can be shown to users, it is unclear whether Moran displays Figure 13 to participants during an ongoing meeting so that the portions recorded can be analyzed accordingly. The Ludwig reference is used to teach teleconferencing sessions using video/audio, etc. presented on a screen to all participants, said session can utilize annotations, and said session can be recorded. Ludwig's display of a conference call is applied to Moran, so that Moran can display recordings of all participants (i.e. Figures 13-15) during a session meeting.

*Conclusion*

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William L. Bashore whose telephone number is (703) 308-5807. The examiner can normally be reached 11:30am - 8:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William L. Bashore  
Patent Examiner AU 2176  
October 17, 2004